



August 24, 2021

VIA ECF

Hon. Deborah L. Boardman
United States District Court
101 West Lombard Street, 3C
Baltimore, Maryland 21201

Re: *Johnson v. Baltimore Police Department et al.*
No. ELH-19-0698

Dear Judge Boardman:

Pursuant to your Letter Order of March 8, 2021 (ECF No. 84), we write regarding a discovery dispute that the parties have been unable to resolve, despite good-faith efforts to do so.

Individual Defendants seek to depose Nancy Forster, who remains one of Plaintiff's counsel despite withdrawing from Plaintiff's case as counsel of record. Individual Defendants want to depose Ms. Forster regarding matters that they consider to be fact based and relevant to this case. Individual Defendants do not intend to ask Ms. Forster questions that invade attorney-client privilege or attorney work product. Ms. Forster has accepted service for the deposition, but has not yet agreed to participate in the proceeding on the basis of attorney-client privilege and work product doctrine. Plaintiff objects to Individual Defendants' deposition subpoena on the basis that Individual Defendants have failed to meet the legal requirements needed to depose Ms. Forster.

On August 23, 2021, counsel for Individual Defendants (Judson Arnold) met and conferred with counsel for Plaintiff (Kobie Flowers) via telephone.¹ The parties have been unable to agree to a resolution. Individual Defendants have set Ms. Forster's deposition for Friday, August 27, 2021. Fact discovery closes on August 30, 2021. Amended Scheduling Order (ECF No. 114).

Respectfully,

/s/

Kobie A. Flowers (Bar No. 16511)
Andrew D. Freeman (Bar No. 03867)
Neel K. Lalchandani (Bar No. 03867)

/s/

Shneur Z. Nathan (20707)
Avi Kamionski (20703)
Judson Arnold (21296)

¹ Defendant Baltimore Police Department has adopted the position taken by Individual Defendants.



Abigail A. Graber (Bar No. 03867)
Brown, Goldstein & Levy, LLP
120 E. Baltimore Street, Suite 2500
Baltimore, Maryland 21201
kflowers@browngold.com
adf@browngold.com
nlalchandani@browngold.com
agraber@browngold.com
T: (410) 962-1030/ F: (410) 385-0869

Nathan & Kamionski LLP
575 S. Charles St., Suite 402
Baltimore, MD 21201
T: (312)612-1955
F: (952)658-3011

*Attorneys for Defendants Kevin Davis, Frank
Barlow, Daniel Boone, and Gerald Goldstein*

Attorneys for Plaintiff

/s/

Kara K. Lynch (29351)
Justin S. Conroy (28480)
Chief Solicitors
Natalie R. Amato (20749)
Assistant City Solicitor
Baltimore City Department of Law
Office of Legal Affairs City Hall, Room 101
100 N. Holliday Street
Baltimore, MD 21202
410-396-2496 (telephone)
410-396-2126 (facsimile)
kara.lynch@baltimorepolice.org

*Attorneys for Defendant Baltimore Police
Department*